# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/460,089 | 12/14/1999 | SHMUEL SHAFFER | M-7917-US | 1994 |

33031    7590    03/16/2004

CAMPBELL STEPHENSON ASCOLESE, LLP
4807 SPICEWOOD SPRINGS RD.
BLDG. 4, SUITE 201
AUSTIN, TX  78759

| EXAMINER |
|---|
| ZIA, SYED |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2131 | |

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C  (Rev. 10/03)

| | Application No. | | Applicant(s) |
|---|---|---|---|
| **Office Action Summary** | 09/460,089 | ● | BEDARD ET AL. |
| | Examiner | | Art Unit |
| | Syed  Zia | | 2131 |

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _29 December 2003_.

2a)☒ This action is **FINAL.**          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1,3-11 and 13-56_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,3-11 and 13-56_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1.      This is in response to request for reconsideration filed on December 12, 2003 (Paper No.

12). Original application contained Claims 1-56. Applicant cancelled Claims 2, and 12.

Therefore, pending Claims 1, 3-11, and 13-56 are presented for further consideration and

examination.

### *Response to Arguments*

Applicant's arguments on December 12, 2003 (Paper No. 12) have been fully considered but they

are not persuasive because of the following reasons:

Regarding Claim 1 applicant argued that U. S. Patent 5,408,518 issued to Yunoki (hereinafter,

Yunoki) does not teach or fails to describe, "*directing a token generator to issue a token to the*

*first network station client in response to user input to a second network station client*" and

"*extending a persistent invitation*".

This is not found persuasive. This is disclosed in applicants' disclosure that *token generator*

create a token associated with a *persistent invitation* to join the ongoing conference call, and

token generator generates token which can have a number of different fields such as a token ID

field, a conference ID field, conference call participation information field, etc. (Please refer

Page No.8 second paragraph of disclosure statement of application). Yunoki clearly teaches the

teleconference system comprises a teleconference registration device for registering, notifying all

teleconference participants of the teleconference and for responding to a status confirmation

request for the date and time of the teleconference run.  A teleconference run device holds a

teleconference by automatically connecting all attending teleconference participants online on

the date and time of the teleconference run registered by the teleconference registration device

run (col.5 line 28 to col.6 line 5, and col.6 line 61 to col.7 line 47).

As a result, Yunoki does implement a system to extend conference capabilities of an ongoing

conference call. Therefore, the examiner asserts that Yunoki does teach or suggest the subject

matter broadly recited in independent Claims 1, 11, 24, and 39. Dependent claims 3-10, 13-23,

25-38, and 40-56 are also rejected at least by virtue of their dependency on independent claims

and by other reason set forth in the this office action (Paper No. 13). Accordingly, rejections for

Claims 1, 3-11, 13-56 are respectfully maintained.

## *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.      Claims 1-56 are rejected under 35 U.S.C. 102(b) as being anticipated by Yunoki. U. S.

Patent 5,408,518.

3.     Regarding claims 1 and 11 Yunoki teaches and describes a system and method for adding

a network station client to an ongoing conference call, comprising:

- extending a persistent invitation to a first network station client to join a conference call in

response to a determination that the first network station client is unavailable to accept a

non-persistent invitation to join the conference call, wherein said extending comprises, directing

a token generator to issue a token to the first network station client in response to user input to a

second network station client (Fig.1, col. 4 line 30 to line 61, col.5 line 28 to col.6 line 5, and

col.6 line 61 to col.7 line 47); and

       - adding the first network station client to the conference call when the first network

station client accepts the persistent invitation to join the conference call utilizing token (Fig.1,

col. 2 line 15 to line 48, and col. 4 line 38 to col. 6 line 25).


4.     Regarding claims 24 and 39 Yunoki teaches and describes a system and method for

accepting an invitation to join an ongoing conference call, comprising:

       - receiving at an initially unavailable network station client a persistent invitation to join a

conference call wherein said receiving comprises, receiving a token indicative of a persistent

invitation to join the conference call (Fig.1, col. 2 line 16 to line 25, and col. 5 line 13 to col.6

line 5); and

       - presenting an alert that the persistent invitation to join the conference call has been

received, in response to the toke (col.7 line 1 to line 60); and accepting the persistent invitation

to join the conference call in response to user input to a network station client selected from the

group comprising the initially unavailable network station client and another network station

client where the user has been authenticated (Fig.1, col.3 line 40 to line 57, and col. 5 line 61 to

col. 6 line 25).


5.      Claims 3-5, 7-8, 13-15, 17-18, 25, 29, 36, 40, 44, 51 and 54 are rejected applied as above

in rejecting claims 1, 11, 24, and 39. Furthermore, Yunoki teaches and describes a system and

method extending a persistent invitation to a first network station client to join a conference call

in response to a determination that the first network station client is unavailable to accept a

non-persistent invitation to join the conference, wherein:

        - receiving a message that the first network station client is busy, and determining that the

first network station client is not responding to the non-persistent invitation to join the

conference call within a specified time period (col. 3 line 6 to line 29);

        - sending to the first network station client a token having at least one field selected from

the group comprising a token ID field, a conference ID field, a password field, an expiration time

field, and a conference call participant information field (Fig. 5, col. 14 line 35 to col. 16 line

67);

        - detecting that the first network station client has returned a token to a token processor in

indication that the first network station client has accepted the persistent invitation to join the

conference call (Fig.6, col. 17 line 36 to col. 18 line 54);

        - withdrawing the persistent invitation upon termination of the conference call (col.22

line 53 to line 59);

        - receiving a token indicative of a persistent invitation to join the conference call, the

token having at least one field selected from the group comprising a token ID field, a conference

ID field, a password field, an expiration time field, and a conference call participant information field; and presenting an alert that the persistent invitation to join the conference call has been received, in response to the token (Fig. 5, col. 14 line 35 to col. 16 line 67);

- accepting user input indicating that the persistent invitation to join the conference call has been accepted; and transmitting a token to a multipoint controller as an indication that the persistent invitation to join the conference call has been accepted (Fig. 6, col. 17 line 36 to col. 18 line 54);

- withdrawing an ability to accept the persistent invitation in response to a notification that the conference call has terminated (col. 22 line 53 to line 59);

- signal bearing media bearing said means for receiving at an initially unavailable network station client a persistent invitation to join a conference call, and said means for accepting the persistent invitation to join the conference call in response to user input to a network station client selected from the group comprising the initially unavailable network station client and another network station client where the user has been authenticated (col.7 line 1 to line 33).

6.      Claims 6, 9, 16, 19, 21, 26-28, 30-33, 37-38, 41-43, 45-48, 52-53, and 55-56 are rejected applied as above in rejecting claims 5, 8, 15, 18, 25, 29, 36, 40, 44, 51 and 54. Furthermore, Yunoki teaches and describes a system and method of registering the participants; a function of automatically notifying an invitation to, a cancellation of, an absence from and a status confirmation of a teleconference, and a function of automatically holding a teleconference by

calling up the participants for an online connection at a specified time on a designated date;

wherein:

- sending to the first network station client a reference used to retrieve state data where

such state data functions as at least one field selected from the group comprising a token ID field,

a conference ID field, a password field, an expiration time field, and a conference call participant

information field (Fig. 5, col. 14 line 35 to col. 16 line 67);

- notifying the first network station client that the conference call has been terminated

(col. 22 line 53 to line 59);

- signal bearing media bearing said means for extending a persistent invitation to a

first network station client to join a conference call in response to a determination that the first

network station client is unavailable to accept a non-persistent invitation to join the conference

call, said means for adding the first network station client to the conference call when the first

network station client accepts the persistent invitation to join the conference call, and said means

for withdrawing the persistent invitation upon termination of the conference call (col.7 line 1 to

line 33);

- receiving a reference used to retrieve state data where such state data functions as at

least one field selected from the group comprising a token ID field, a conference ID field, a

password field, an expiration time field, and a conference call participant information field (col.5

line 48 to col. 6 line 9);

- presenting at least one visual alert from the group comprising a Graphical User Interface

icon, a conference call Camp-On LED indicator, and a conference call Camp-On email

message; and presenting an auditory alert selected from the group comprising a notification via a

network station speaker, a voice mail conference call Camp-On message, or a conference call

Camp-On pager notification (col. 3 line 40 to line 46);

   - identification of a transmitting user as a valid participant in the conference call (col.7

line 15 to line 34);

   - at least one field selected from the group comprising a token ID field, a conference ID

field, a password field, an expiration time field, and a conference call participant information

field; and a reference used to retrieve state data where such state data functions as at least one

field selected from the group comprising a token ID field, a conference ID field, a password

field, an expiration time field, and a conference call participant information field (col. 5 line 48

to col. 6 line 9);

   - said transmitting a token to a multipoint controller as an indication that the invitation to

join the conference call has been accepted further includes: retrieving the token from a cache

(col. 7 line 34 to line 47);

   - withdrawing an ability to accept the persistent invitation in response to a notification

that the conference call has terminated further includes: withdrawing a presented notice that the

persistent invitation to join the conference call has been extended; and withdrawing the ability to

accept the persistent invitation in response to a notification from a multipoint controller that the

conference call has terminated (col. 22 line 4 to line 10);

   - signal bearing media further includes: recordable media; and transmission media (col.2

line 26 to line 32).

7.     Claims 10, 20, 22-23, 34-35, and 49-50 are rejected applied as above in rejecting claims

9, 19, 21, 33, and 48. Furthermore, Yunoki teaches and describes a system and method of

teleconferencing, wherein:

     - notifying the first network station client that the conference call has been terminated

further includes: a multipoint controller notifying the first network station client that the

conference call has been terminated (col. 18 line 38 to line 51, and col. 22 line 4 to line 10);

     - said signal bearing media further comprises: recordable media; and transmission media

col. 2 line 26 to line 32);

     - retrieving the token from a cache further includes: retrieving the token from a cache

local to an invited network station client; and retrieving the token from a cache local to a

network server (col. 7 line 34 to line 47).

## *Conclusion*

2.     **THIS ACTION IS MADE FINAL.**  Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

     A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
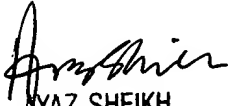
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 703-305-3881. The examiner can normally be reached on Monday - Friday 9:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sz
March 08, 2004

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100